

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON,

Plaintiff,

v.

BETSY DeVOS, in her official capacity as
Secretary of the United States Department of
Education; and the UNITED STATES
DEPARTMENT OF EDUCATION, a federal
agency,

Defendants.

NO. 2:20-cv-01119-MLP

DECLARATION OF
PAUL M. CRISALLI IN SUPPORT
OF MOTION FOR PRELIMINARY
INJUNCTION

I, PAUL M. CRISALLI, hereby declare as follows:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge. I am currently employed as an Assistant Attorney General with the Complex Litigation Division of the Washington State Attorney General's Office. I am one of the attorneys assigned to represent the Plaintiff in this matter.

2. Attached hereto as Exhibit 1 is a true and correct copy of the State of Washington Office of the Governor, Proclamation by the Governor 20-05, available at <https://www.Governor.wa.gov/sites/default/files/proclamations/20-05%20Coronavirus%20%28final%29.pdf> (last visited July 22, 2020).

3. Attached hereto as Exhibit 2 is a true and correct copy of State of Washington Office of the Governor, Proclamation by the Governor 20-09.1 (closing schools), available at

1 [https://www.governor.wa.gov/sites/default/files/proclamations/20-09.1%20-%20COVID-](https://www.governor.wa.gov/sites/default/files/proclamations/20-09.1%20-%20COVID-19%20School%20Closure%20Extension%20%28tmp%29.pdf)
 2 [19%20School%20Closure%20Extension%20%28tmp%29.pdf](https://www.governor.wa.gov/sites/default/files/proclamations/20-09.1%20-%20COVID-19%20School%20Closure%20Extension%20%28tmp%29.pdf) 9 (last visited July 22, 2020).

3 4. Attached hereto as Exhibit 3 is a true and correct copy of an article authored by
 4 Drew Mikkelsen, *No school for Washington students, but districts are giving out free meals*,
 5 KING5 NEWS (5:43 PM PDT, March 16, 2020), available at
 6 [https://www.king5.com/article/news/local/no-school-for-washington-students-but-districts-are-](https://www.king5.com/article/news/local/no-school-for-washington-students-but-districts-are-giving-out-free-meals/281-d90d37a3-b151-4494-9d6e-8a45da0aa970)
 7 [giving-out-free-meals/281-d90d37a3-b151-4494-9d6e-8a45da0aa970](https://www.king5.com/article/news/local/no-school-for-washington-students-but-districts-are-giving-out-free-meals/281-d90d37a3-b151-4494-9d6e-8a45da0aa970).

8 5. Attached hereto as Exhibit 4 is a true and correct copy of an article authored by
 9 Gene Balk, *More than 1 in 5 Seattle students are enrolled in private schools, among the highest*
 10 *in the nation*, Seattle Times (6:00 AM PDT, July 13, 2020), available at
 11 [https://www.seattletimes.com/seattle-news/data/more-than-1-in-5-seattle-students-are-enrolled-](https://www.seattletimes.com/seattle-news/data/more-than-1-in-5-seattle-students-are-enrolled-in-private-schools-among-highest-in-nation/)
 12 [in-private-schools-among-highest-in-nation/](https://www.seattletimes.com/seattle-news/data/more-than-1-in-5-seattle-students-are-enrolled-in-private-schools-among-highest-in-nation/) (last accessed July 22, 2020).

13 6. Attached hereto as Exhibit 5 is a true and correct copy of U.S. Department of
 14 Education, Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended
 15 by the Every Student Succeeds Act: Providing Equitable Services to Eligible Private Schools
 16 Children, Teachers, and Families Updated Non-Regulatory Guidance (October 7, 2019),
 17 available at [https://www2.ed.gov/about/inits/ed/non-public-education/files/equitable-services-](https://www2.ed.gov/about/inits/ed/non-public-education/files/equitable-services-guidance-100419.pdf)
 18 [guidance-100419.pdf](https://www2.ed.gov/about/inits/ed/non-public-education/files/equitable-services-guidance-100419.pdf) (last accessed July 23, 2020).

19 I declare under penalty of perjury under the laws of the State of Washington and the
 20 United States that the foregoing is true and correct.

21 DATED this 23rd day of July 2020, at Seattle, Washington

22
 23 /s/ Paul M. Crisalli

24 PAUL M. CRISALLI, WSBA No. 40681
 25 Assistant Attorney General
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DECLARATION OF SERVICE

I declare that I caused a copy of the foregoing document to be served by:

Hand-delivered:

U.S. Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101

FedEx Overnight:

Betsy DeVos
Secretary of U.S. Department of Education
U.S. Department of Education
Department of Education Building
400 Maryland Avenue SW
Washington, DC 20202-1475

U.S. Department of Education
Department of Education Building
400 Maryland Avenue SW
Washington, DC 20202-1475

DATED this 23rd day of July 2020, at Seattle, Washington.

/s/ Paul M Crisalli
PAUL M. CRISALLI, WSBA No. 40681
Assistant Attorney General